

**BEFORE THE TENNESSEE REGULATORY AUTHORITY**

**NASHVILLE, TENNESSEE**

**November 4, 2005**

**IN RE:**

**GENERIC DOCKET TO EXAMINE  
TARIFFS SETTING RATES FOR  
INMATE PAYPHONE USAGE**

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**DOCKET NO.  
04-00166**

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**ORDER OPENING RULEMAKING DOCKET AND REQUIRING COMMENTS  
REGARDING SETTING INTERIM RATE CAP FOR INMATE PAYPHONE USAGE**

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This matter came before Chairman Pat Miller, Director Deborah Taylor Tate and Director Ron Jones of the Tennessee Regulatory Authority (the "Authority" or "TRA"), the voting panel assigned to this docket, at a regularly scheduled Authority Conference held on July 2, 2004 to consider the convening of a docket to promulgate rules pertaining to inmate payphone usage and rates and to review certain tariffs filed with the TRA setting such rates.

**BACKGROUND**

At an Authority Conference held on June 7, 2004, the voting panel assigned to Docket No. 04-00144 considered a petition filed by Global Tel\*Link Corporation ("Global Tel") for a declaratory ruling regarding rates for local payphone calls made from correctional or inmate facilities and requesting that the TRA declare that the amended tariff it filed on May 7, 2004 is not prohibited by TRA Rule 1220-4-2-.45(2).<sup>1</sup> The voting panel determined that a generic docket should be opened for the purpose of examining all similar tariffs that set rates for

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<sup>1</sup> TRA Rule 1220-4-2- 45(2) states as follows

Local call charges shall not exceed the amount authorized by the Authority for a local call from pay telephones operated by the LEC serving the area in which the pay telephone is located

correctional facility or inmate payphone usage. In accordance with that panel's instructions, this docket was opened and Authority Staff commenced the task of reviewing tariffs filed with the Authority establishing rates for inmate payphone usage.

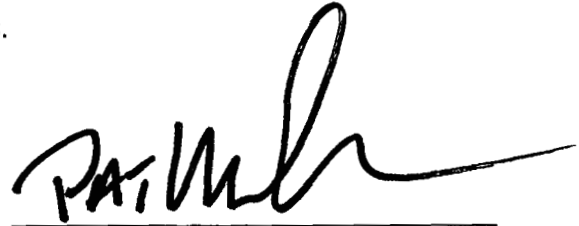
**July 2, 2004 Authority Conference**

On July 2, 2004, the voting panel assigned to this docket publicly convened to consider promulgating a rule pertaining to rates for inmate pay phone usage and tariffs filed with the TRA by AT&T Communications of the South Central States, Inc. ("AT&T"), Global Tel and ITI Inmate Telephone, Inc. setting such rates. During the meeting, counsel for AT&T, Global Tel and Pay-Tel Communications, Inc. submitted a chart containing data reflecting inmate local collect payphone call rates in the United States and suggested a rate cap of \$1.50, including operator surcharges, for inmate local collect payphone calls. At the conclusion of the meeting, the panel voted to request comments regarding the chart and proposed rate cap no later than July 9, 2004. The panel also voted to reconvene to consider setting an interim rate cap for inmate local collect pay phone calls during the Authority Conference on July 26, 2004. During the July 2, 2004 meeting, the panel also voted to open a rulemaking proceeding to consider the establishment of a permanent rate and also to resolve any other issues related to payphones, both public payphones and payphones placed at inmate facilities.

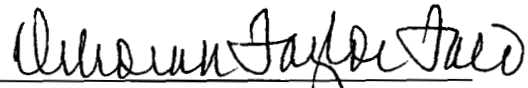
**IT IS THEREFORE ORDERED THAT:**

1. A docket be opened for the purpose of promulgating Authority rules establishing a rate and conditions of service for local collect calls from correctional facilities.
2. The Authority shall issue a Notice to all interested parties, and specifically to all local service providers with inmate payphone tariffs on file with the Authority, requesting

comments regarding the chart reflecting inmate payphone rates and regarding the proposed rate cap of \$1.50 for inmate local collect payphone calls.

A handwritten signature in black ink, appearing to read "Pat Miller", written over a horizontal line.

Pat Miller, Chairman

A handwritten signature in black ink, appearing to read "Deborah Taylor Tate", written over a horizontal line.

Deborah Taylor Tate, Director

A handwritten signature in black ink, appearing to read "Ron Jones", written over a horizontal line.

Ron Jones, Director